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Daniel H. Golub
Morgan, Lewis & Bockius, LLP
1701 Market Street
Philadelphia, PA 19103

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DIRECTOR'S OFFICE
TECHNOLOGY CENTER 3600

DECISION ON PETITION
UNDER 37 CFR 1.59

In re Application of Marc Alaia et al
Appl. No.: 09/832,437
Filed: April 11, 2001
For: METHOD AND SYSTEM FOR
CONTROLLING AN ELECTRONIC
AUCTION DURING THE TRANSITION
TO A CLOSED STATE

This is a decision on the petition under 37 CFR 1.59(b), filed on March 19, 2003, to expunge information from the above identified application.

The petition is granted.

Petitioner requests that a document entitled, "SHOPPERSUNIVERSE ARTICLE" (8/27/96) and attachment labeled "OUTSIDE COUNSEL EYES ONLY PURSUANT TO PROTECTIVE ORDER", filed ON February 26, 2003, be expunged from the record. Petitioner states that either (A) that the information contains trade secret material, proprietary material and/or material that is subject to a protective order which has not been made public; or (B) that the information submitted was unintentionally submitted and the failure to obtain its return would cause irreparable harm to the party who submitted the information or to the party in interest on whose behalf the information was submitted, and the information has not otherwise been made public. The petition fee set forth in 37 CFR 1.17(h) has been paid.

The information in question has been determined by the undersigned to not be material to the examination of the instant application.

Applicant is required to retain the expunged material(s) for the life of any patent which issues on the above-identified application.

The expunged material is returned herewith.

John J. Love
John J. Love, Director
Technology Center 3600
Phone: (703) 308-1020
Fax: (703) 306-4597
JL:shs;6/30/03

Enclosure: "SHOPPERSUNIVERSE ARTICLE" (8/27/96; 2 pages)